

### **REMARKS/ARGUMENTS**

This application has been carefully reviewed in light of the Office Action Dated March 10, 2004. Claims 1-20 remain in the application. Claims 1, 11, and 12 are amended. It is believed that no new matter is involved in the amendments or arguments presented herein. Reconsideration and entrance of the application, as amended herein, are respectfully requested.

#### **Non-Art-Based Rejections**

On page 2 of the Office Action, Claim 11 was objected to for lack of antecedent support. In response, the Applicant has amended Claim 11 to overcome the objection. Reconsideration and withdrawal of the above objection are respectfully requested.

#### **Art-Based Objections**

On page 2 of the Office Action, Claims 1, 4, 11-12, 14-15, and 19 were rejected under 35 U.S.C. §102(e) over Saito et al. (USPN 6,417,935). On page 6 of the Office Action, Claims 2-3 and 5-10 were rejected under 35 U.S.C. §103(a) over Saito, as applied to Claim 1 above, in view of Nagaishi (USPN 5,038,226).

The Applicant respectfully traverses the rejections and respectfully submits that the claims herein are patentable in light of the amendments herein above and the arguments herein below.

#### **The Saito Reference**

The Saito reference discloses a facsimile apparatus having a memory transmission function to transmit input image data after having temporarily stored the image data. (*See Saito, Col. 1, lines 5-9 and Col. 4, lines 65-67*). According to Saito, the facsimile apparatus conducts memory transmission of two continuous

pages of image data that are combined into one page of image data for transmission within a range not exceeding the number of available lines for recording in the receiving station facsimile apparatus. (*See Saito; Figure 2; Col. 5, lines 1-18*).

### **The Nagaishi Reference**

The Nagaishi reference discloses a facsimile apparatus having an image memory capable of storing image information of an entire document when the facsimile apparatus is not connected to the circuit of a partner. (*See Nagaishi, Col. 2, lines 1-4*). The image information that is stored in the image memory can be transmitted when the facsimile apparatus is connected to the partner circuit. (*See Nagaishi, Col. 2, lines 4-7*).

### **The Claims Are Patentable Over the References**

The present application is generally directed to a communication device and a method of transmitting image data via the communication device.

As defined by amended independent Claim 1, a communication terminal device includes a document input means for obtaining an image comprising a plurality of pages to be transmitted. The device includes an image storage means for storing at least a first page of the image obtained by the document input means. The device includes a communication control means capable of communicating with a recipient over a communication line or network. The device includes a control means for causing the communication control means to automatically initiate dialing to the recipient when the first page of the plurality of pages of the image has been obtained from the document input means and stored in the image storage means.

The applied references do not disclose or suggest the above features of the present invention as defined by amended independent Claim 1. In particular, the

applied references do not disclose or suggest, "control means for causing the communication control means to automatically initiate dialing to the recipient when the first page of the plurality of pages of the image has been obtained from the document input means and stored in the image storage means," as required by amended independent Claim 1.

Saito is directed to combining two pages of image data into one page of image data for transmitting. (*See Saito; Figure 2; Col. 5, lines 1-18*). Saito teaches scanning one page of image data and calculating a total number of lines in the sub-scan direction of the image data stored in the image memory. (*See Saito, Col. 11, lines 59-63*). Saito teaches that, if the number of calculated lines is smaller than a predetermined value, the image data of the one page stored in the image memory and the read image data of the next page are combined for transmission. (*See Saito, Col. 12, lines 4-7*). According to Saito, if the number of calculated lines represents only one page, the one page is transmitted because only one page is present in the image memory; Saito sends a one page document because additional pages do not exist in the document or the image memory. (*See Saito, Col. 12, lines 7-14*). Also, according to Saito, if other image data (additional pages) is present in the image memory, the management task waits for the completion of the storing of the next page of image data into the image memory before transmitting any image data. (*See Saito, Col. 12, lines 20-24*).

In contrast, the present invention requires performing a dialing function to automatically dial a recipient when a first page of a plurality of pages is obtained from the document input means and stored in the image storage means. (*See Specification, Page 4, lines 23-25*). The present invention is concerned with improving the efficiency of transmitting a plurality of pages by initiating

transmission of the first page while obtaining and storing additional pages. (*See Specification, Page 7, lines 23-25 to Page 8, lines 1-3*).

The ancillary Nagaishi reference does not remedy the deficiencies of the primary Saito reference. For example, Nagaishi is specifically directed to a facsimile apparatus having an image memory capable of storing image information of an entire document when the apparatus is not connected to the circuit of a partner. (*See Nagaishi, Col. 2, lines 1-4*).

Since the applied references do not disclose or suggest the above features as required by amended independent Claim 1, those references cannot be said to anticipate nor render obvious the invention which is the subject matter of amended independent Claim 1.

Accordingly, amended independent Claim 1 is believed to be in condition for allowance and such allowance is respectfully requested.

The Applicant respectfully submits that amended independent Claim 12 is also allowable for at least the same reasons as discussed above with respect to amended independent Claim 1.

The remaining Claims 2-11 and 13-20 depend either directly or indirectly from amended independent Claims 1 and 12. These claims recite additional features of the invention, which are neither disclosed nor fairly suggested by the applied references, and are, therefore, also believed to be in condition for allowance.

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**Conclusion**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6742 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,  
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